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Docket No. AMENDMENT TRANSMITTAL LETTER SPINE 3.0-414 Application No. Filing Date Examiner Art Unit 10/695,849-Conf. #7827 October 29, 2003 J. L. Swiger 3775 Applicant(s): Jérôme David Invention: BONE FIXATION ASSEMBLY AND METHOD TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Highest Claims Remaining Number Number Previously **Extra Claims** After Amendment Paid **Present** Rate **Total Claims** 40 42 Х Independent 6 7 = Claims Multiple Dependent Claims (check if applicable) Other fee (please specify): TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: x Large Entity Small Entity No additional fee is required for this amendment. × Please charge Deposit Account No. 12-1095 in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. x The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed. x Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: November 11, 2008 Scott E. Charney Attorney/Agent Reg. No.: 51,548 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6336 943870 1.DOC

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hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 11, 2008 Signature:

(Scott E. Charney)

Docket No.: SPINE 3.0-414

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jérôme David

Application No.: 10/695,849

Filed: October 29, 2003

For: BONE FIXATION ASSEMBLY AND

METHOD

: Group Art Unit: 3733

: Examiner: J. L. Swiger

MAIL STOP RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Official Action mailed May 29, 2008, Applicant submits the following amendments and remarks.